

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JEFFREY MARION,)	
)	Civil Action
Plaintiff)	No. 05-CV-01288
)	
vs.)	
)	
THE AGERE SYSTEMS, INC.)	
SICKNESS AND ACCIDENT)	
DISABILITY BENEFIT PLAN FOR)	
OCCUPATIONAL EMPLOYEES,)	
)	
Defendant)	

O R D E R

NOW, this 26th day of March, 2008, upon consideration of Plaintiff's Second Motion for Summary Judgment filed June 29, 2007; upon consideration of the Cross-Motion for Summary Judgment of Defendant The Agere Systems Inc. Sickness and Accident Disability Benefit for Occupational Employees filed July 27, 2007; upon consideration of Plaintiff's Answer to Defendants' Motion for Summary Judgment, which answer was filed August 13, 2007; upon consideration of the briefs of the parties; after oral argument conducted September 18, 2007 before the undersigned; and for the reasons expressed in the accompanying Memorandum,

IT IS ORDERED that Plaintiff's Second Motion for Summary Judgment filed June 29, 2007 is denied.

IT IS FURTHER ORDERED that the Cross-Motion for Summary Judgment of Defendant The Agere Systems Inc. Sickness and Accident Disability Benefit for Occupational Employees filed July 27, 2007 is granted.

IT IS FURTHER ORDERED that judgment is entered in favor of defendant The Agere Systems Inc. Sickness and Accident Disability Benefit for Occupational Employees, and against plaintiff Jeffrey Marion.

IT IS FURTHER ORDERED that the Clerk of Court shall marked this case closed for statistical purposes.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge